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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,610	12/19/2001	Chenghui Wang	01P04874US01	3010

7590 07/18/2006

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
186 Wood Avenue South
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EXAMINER

NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,610

Applicant(s)

WANG, CHENGHUI

Examiner

Steven HD Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/22/06 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 4 rejected under 35 U.S.C. 102(e) as being anticipated by Faccinn (US 2002012795).

Faccinn discloses a telecommunications method comprising processing a detection point attach (Figs 1, 3-5, 7-11, activate PDP context procedure at SGSN); an SGSN requesting PDP context activation (Figs 1, 3-5, 7-11, activate PDP context procedure at SGSN); and triggering an SIP request (Page 8, Sec [114-115]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 5 and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Surdila (US 20020110104).

Regarding claims 1, 5 and 11, Surdila discloses a telecommunications system (Fig 2) comprising a Serving GPRS support node (SGSN) (Fig 2, Ref 17) adapted to interface to a mobile station (Fig 2, Ref 14 or 32) and a gateway GPRS support node (GGSN) (Fig 2, ref 19) adapted to couple to a packet network (Fig 2, Ref 50) and SIP server (Fig 2, Ref 25 and 27) in order to provide multimedia services to said mobile station. However, Surdila fails to disclose said SGSN includes a Session Initiation Protocol (SIP) user agent for interfacing to a SIP application server, to provide multimedia services to said mobile station. In the same field of endeavor, Surdila discloses a hybrid gateway (Fig 2, ref 51) which includes a UAC (Fig 3, Ref 58) for interface with the SIP server (Fig 2, Ref 25 and 27).

Since, it has been held that there would be no invention in shifting the location parts, *In re Japikse*, 86 USPQ 70 (CCPA 1950). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a UAC function into the SGSN into the teaching of Surdila. The motivation would have been to reduce the cost of the system.

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6. Claims 2-3, 6-10 and 12-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Surdila in view of Faccinn (US 20020127995).

Regarding claims 2-3, Surdila fails to disclose said SGSN adapted to initiate a PDP context activation procedure if said SGSN determines, or an other network function/entity instructs the SGSN, that such a PDP context activation is needed to support further services and said PDP activation procedure adapted to be implemented at DP attach or other detection points. In the same field of endeavor, Faccinn discloses SGSN adapted to initiate a PDP context activation procedure if said SGSN determines, or an other network function/entity instructs the SGSN, that such a PDP context activation is needed to support further services and said PDP activation procedure adapted to be implemented at DP attach or other detection points (Figs 1, 3-5, 7-11, activate PDP context procedure at SGSN).

Since, Surdila discloses a GPRS network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply activate PDP context procedure at SGSN for further services as disclosed by Faccinn into the teaching of Surdila. The motivation would have been to reduce the cost of the system.

Regarding claims 6-7 and 12-13, Surdila fails to disclose said SGSN and said SIP application server adapted to implement an operator owned PDP context activation and said operator owned PDP activation procedure adapted to be implemented at DP attach or other detection points. In the same field of endeavor, Faccinn discloses said SGSN and said SIP application server adapted to implement an operator owned PDP context activation and said operator owned PDP activation procedure adapted to be implemented at DP attach or other detection points (Figs 1, 3-5, 7-11, activate PDP context procedure at SGSN).

Since, Surdila discloses a GPRS network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply said SGSN and said SIP application server adapted to implement an operator owned PDP context activation and said operator owned PDP activation procedure adapted to be implemented at DP attach or other detection points as disclosed by Faccinn into the teaching of Surdila. The motivation would have been to reduce the cost of the system.

Regarding claims 8-10 and 14-16, Surdila and Faccinn fail to disclose said SGSN and said SIP application server adapted to implement push services, presence status and push prepaid recharging service. However, the examiner take an official notice that a method and system for implementing push services, presence status and push prepaid recharging service at SGSN and said SIP application server are well known and expected in the art at the time on invention was made. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply these functions into the teaching of Surdila and Faccinn. The motivation would have to detect a device online, performing billing, provide information to the users.

7. Claims 17-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Haumont (WO 0010357) in view of Patil (US 20020120746).

Haumont discloses a method in a GPRS network (Fig 1) comprising requesting a DP attach from a mobile station to an SGSN (Page 1, line 30 to page 2, line 14); requesting a PDP context activation from said SGSN to said mobile station (Fig 6, Ref 6-3); performing a PDP context activation in response to said requesting (Fig 6, Ref 6-4). However, Haumont fails to disclose pushing content such web page to said mobile station from a SIP application sever. In

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the same field of endeavor, Patil discloses a SIP applicant server for pushing a web page to the mobile (Page 1, Sec 4).

Since, Patil suggests that a GPRS network includes a SIP server and mobile. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a SIP server for pushing web page to the mobile as disclosed by Patil into the system and method of Haumont. The motivation would have to integrate the SiP application into GPRS in order to provide multimedia service and reduce the cost of a system.

Regarding claim 19, Haumont and Patil fail to disclose implement push prepaid recharging service. However, the examiner take an official notice that a method and system for implementing push prepaid recharging service at SGSN and said SIP application server are well known and expected in the art at the time on invention was made. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply the function into the teaching of Haumont and Patil. The motivation would have to perform billing.

8. Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Surdila (US 20020110104) in view of Glitho (USP 6940847).

Surdila discloses a telecommunications system (Fig 2) comprising a Serving GPRS support node (SGSN) (Fig 2, Ref 17) adapted to interface to a mobile station (Fig 2, Ref 14 or 32) and a gateway GPRS support node (GGSN) (Fig 2, ref 19) adapted to couple to a packet network (Fig 2, Ref 50) and SIP server (Fig 2, Ref 25 and 27) in order to provide multimedia services to said mobile station. However, Surdila fails to disclose said SGSN includes a Session Initiation Protocol (SIP) user agent for interfacing to a SIP application server, to provide multimedia services to said mobile station and a camel service environment and said SGSN is

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configured to determine if an event is triggered to the CAMEL service or the SIP user agent. In the same field of endeavor, Surdila discloses a hybrid gateway (Fig 2, ref 51) which includes a UAC (Fig 3, Ref 58) for interface with the SIP server (Fig 2, Ref 25 and 27) and Glitho discloses a detection point for detecting camel or SIP service in order to create the service (col. 3, lines 5-32).

Since, it has been held that there would be no invention in shifting the location parts, *In re Japikse*, 86 USPQ 70 (CCPA 1950) and Glitho suggests GSM and packet network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a SIP and CAMEL service as disclosed by Glitho into the SGSN of Surdila. The motivation would have been to reduce the cost of the system by creating universal system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Steven HD Nguyen
Primary Examiner
Art Unit 2616
July 6, 2006